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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sebastien Roy, et al.

Examiner: Cliff N. Vo

Serial No.: 09/538,209

Art Unit: 2671

Filed: March 30, 2000

Docket: 13414 (NECI1083)

For: METHOD FOR MATCHING A TWO
DIMENSIONAL IMAGE TO ONE OF A
PLURALITY OF THREE DIMENSIONAL
CANDIDATE MODELS CONTAINED IN A
DATABASE

Dated: May 1, 2003

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MAY 0 7 2003

Commissioner for Patents United States Patent and Trademark Office Alexandria, VA 22313-1450 Technology Center 2600

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Sir:

This paper is responsive to the Notice of Abandonment mailed 23 April 2003 in the above-captioned application. Applicant kindly petitions that the holding of abandonment be withdrawn in view of the following.

An Office Action was mailed 10 September 2002 in the instant application, setting a three-month period for reply to expire 10 December 2002. In

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450 on May 1, 2003.

Dated: May 1, 2003

Michelle Mustafa

response, a reply was mailed 09 December 2002, including a certificate of mailing. This response was received in the USPTO on 13 December 2002, as evidenced by the datestamped return postcard, a copy of which is attached as Exhibit A.

Enclosed herewith are a replacement copy of the response filed 09

December 2003, and a statement under 37 CFR § 1.8(b) by the individual who signed the certificate of mailing attesting to the timely mailing of the response.

Applicant respectfully requests that these documents be afforded the benefit of its 09 December 2003 mailing date, that the holding of abandonment be withdrawn, and the response be entered into record so that prosecution be carried forward in due course.

Respectfully submitted,

David J. Torrente

Registration No. 49,099

SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza Garden City, New York 11530 (516) 742-4343

DJT:eg Enclosures

PATENT OFFICE DATE STAMP



NOWLEDGE RECEIPT OF:

1. Amendment Transmittal Letter (in duplicate)

2. Amendment under 37 CFR §1.111

3. Certificate of mailing dated December 9, 2002

Applicant: Sebastien Roy, et al.

Serial No: 09/538,209 **Filed:** March 30, 2000

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PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:

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TO THE ASSISTANT COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below. CLAIMS AS AMENDED CLAIMS REMAINING AFTER AMENDMENT AFTER AMENDMENT PREV. PAID FOR AFTER AMENDMENT PREV. PAID FOR CLAIMS PRESENT AFTER AMENDMENT PREV. PAID FOR ACTION ASSISTANT COMMISSIONER FOR PATENTS AFTER AMENDMENT PREV. PAID FOR CLAIMS PRESENT FEE TOTAL CLAIMS 12 = 0 x \$18.00 \$0.00 Multiple Dependent Claims (check if applicable) \$0.00 TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$0.00 What is seen is enclosed. A check in the amount of to cover the filling fee is enclosed. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. Any additional filling fees required under 37 C.F.R. 1.16. Any patent application processing fees under 37 C.F.R. 1.16. Signature Paul J. Essato, Jr. Signature All December 9, 2002 I certily that this document and fee is being deposited on the commissioner for Patents, Washington, D.C. 20231. Signature of Person Mailing Correspondence Michael Marce of Person Mailing Correspondence	-								
METHOD FOR MATCHING A TWO DIMENSIONAL IMAGE TO ONE OF A PLURALITY OF THREE DIMENSIONAL CANDIDATE MODELS TO THE ASSISTANT COMMISSIONER FOR PATENTS: TOTAL CLAIMS AMENDED CLAIMS REMAINING MIGHEST # NUMBER EXTRA RATE FEE TOTAL CLAIMS 24 28 = 0 x \$18.00 \$0.00 INDEP. CLAIMS 8 12 = 0 x \$84.00 \$0.00 Multiple Dependent Claims (check if applicable)			TTAL LETTER	Entity)					
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Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City, New York 11530 I certify that this document and fee is being deposited on Dec. 9, 2002 with the U.S. Postal Service at first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. Signature of Person Mailing Correspondence	Please ch A duplicat A check ii The Communic A duplicat A Any Any Paul J. Esatto, Jr	harge De ate copy of in the am nmissione ication or ate copy of additional patent ap	eposit Account Nof this sheet is enount of er is hereby author credit any over of this sheet is eal filing fees requipolication processing application processing and the sheet is early filing fees requipolication processing application processing and the sheet is early filing fees requipolication processing application processing and the sheet is early filing fees requipolication processing and the sheet is early filing fees required the sheet is early feet and the sheet is	No. enclosed. to cover the thorized to charge erpayment to Deposed. quired under 37 C.	e filing fee is e payment of osit Account S.F.R. 1.16. 37 CFR 1.1	s enclosed. of the following to the tollowing to the toll	3 SSMP	ciated wit	h this
CC: Michelle Mustafa	Scully, Scott, Mu 400 Garden City Garden City, Nev	ırphy & F Plaza	Presser			on Dec. 9, 200 first class mail Assistant Cor 20231.	in index 37 C. ommissioner ature of Person	with the U.C.F.R. 1.8 an for Patents	U.S. Postal Service as and is addressed to the ts, Washington, D.C.

cc:

Typed or Printed Name of Person Mailing Correspondence





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Commissioner for Patents United States Patent and Trademark Office Alexandria, VA 22313-1450 **Technology Center 2600**

STATEMENT UNDER 37 C.F.R. §1.8(b)

Sir:

I, Michelle Mustafa, hereby attest that on 09 December 2002, regarding the above-identified application, I deposited with the United States Postal Service at First Class mail addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231 the following:

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450 on May 1, 2003.

Dated: May 1, 2003

Michelle Mustafa

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- 2. Amendment under 37 C.F.R. §1.111
- 3. Certificate of Mailing dated 09 December 2002

Respectfully submitted

Michelle Mustafa

SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza Garden City, New York 11530 (516) 742-4343

DJT:eg